

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT  
NASHVILLE, TENNESSEE**

**July 23, 2003**

**IN RE:**

**PETITION OF ON-SITE SYSTEMS, INC. TO AMEND ITS  
CERTIFICATE OF CONVENIENCE AND NECESSITY**

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**DOCKET NO.  
03-00307**

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**ORDER APPROVING PETITION OF ON-SITE SYSTEMS, INC.  
TO AMEND ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

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This matter came before Director Pat Miller, Director Sara Kyle, and Director Ron Jones of the Tennessee Regulatory Authority (the "TRA" or "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on July 7, 2003 to consider the Petition (the "Petition") of On-Site Systems, Inc. ("On-Site") to amend its Certificate of Public Convenience and Necessity ("CCN") to expand its service area to include an area known as Sunnybrook in Robertson County, Tennessee.

**Legal Standard for Granting CCN**

No public utility is permitted to begin construction or operation of a new utility facility or service before obtaining the approval of the TRA. The procedure for obtaining such approval is outlined in Tenn. Code Ann. § 65-4-201(a), which reads in pertinent part as follows:

No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the authority, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator

thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate . . .

### **Background**

On April 6, 1994, On-Site received a CCN in Docket No. 93-09040 from the Tennessee Public Service Commission to provide wastewater service to the Oakwood Subdivision in Maury County. Since that time, through various other dockets, On-Site has been granted approval to expand its service territory to include other areas in Tennessee.

### **Petition to Amend CCN**

On April 21, 2003, On-Site filed the Petition to amend its CCN to expand its service area to include Sunnybrook. A map showing the area to which On-Site proposes to extend service is attached to the Petition. On-Site filed a rate schedule with the Petition in this docket which states that residential rates for Sunnybrook will be as follows:

Total monthly charge	\$35.11
Non-payment fee	5% of monthly charge
Disconnection fee	\$10
Reconnection fee	\$15
Returned check fee	\$20
Access fee	\$84/year

This rate schedule comports with the rate schedule for On-Site approved by the TRA in Docket No. 99-00393.

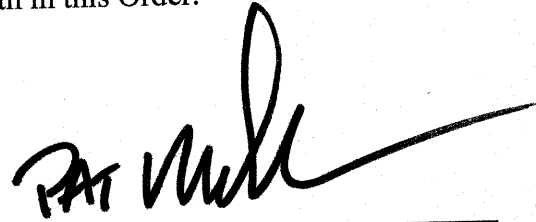
In the Petition, On-Site contends that Robertson County has neither the desire nor the ability to provide sewer service to Sunnybrook. This contention is supported by a letter dated April 14, 2003 from Howard R. Bradley, Robertson County Executive. On-Site also submitted an April 14, 2003 letter from Kevin Breeding, City Manager, stating that the City of Orlinda has no plans to provide sewer service in the area at issue.

**July 7, 2003 Authority Conference**

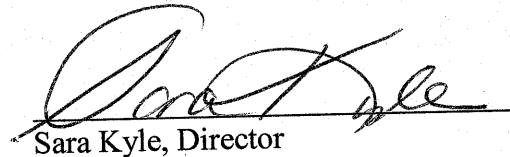
The voting panel assigned to this docket considered On-Site's Petition at the regularly scheduled Authority Conference held on July 7, 2003 and voted unanimously to approve the Petition.

**IT IS THEREFORE ORDERED THAT:**

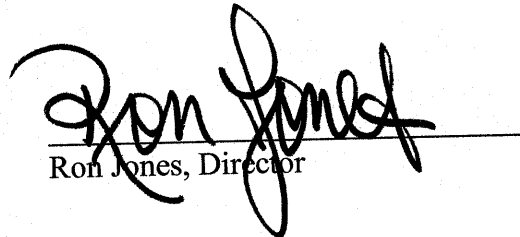
1. The Petition of On-Site Systems, Inc. to amend its Certificate of Public Convenience and Necessity to expand its service area to include an area known as Sunnybrook in Robertson County, Tennessee, as shown in the map attached to the Petition, is approved.
2. On-Site's rates for sewer service to Sunnybrook shall be as listed in the rate schedule filed with On-Site's Petition and as set forth in this Order.



Pat Miller, Director



Sara Kyle, Director



Ron Jones, Director